

REMARKS

Reconsideration of the application is requested.

Claims 1 and 3 remain in the application. Claims 1 and 3 are subject to examination. Claims 1 and 3 have been amended. Claim 2 has been canceled to facilitate prosecution of the instant application.

Under the heading "Claim Rejections - 35 USC § 102" on page 2 of the above-identified Office Action, claims 1-3 have been rejected as being fully anticipated by U.S. Patent No. 6,134,667 to Suzuki et al. (hereinafter Suzuki) under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 3, lines 25 and 26 of the specification of the instant application and from original claim 2.

According to the invention of the instant application, the data processing apparatus is configured for using an integrated or internal temperature sensor of the hard disk for controlling at least one fan of the data processing apparatus. The measured temperature values are sent over the

data interface of the hard disk and this is possible because the temperature sensor is an integrated part of the hard-disk and is not merely disposed in the area of the hard disk.

In contrast Suzuki discloses a computer system and its cooling control method which uses several temperature sensors that are attached to the hard-disk, a CPU or a PC card controller or which are disposed close to these components. Suzuki does not disclose a hard-disk containing an integrated temperature sensor which can be checked using a data interface of the hard-disk. Rather, the sensors report their data directly and do not use the data interface of the hard-disk.

A person of average skill in the art might realize that the temperature measured by an external temperature sensor arranged close to the hard-disk does not give precise information on the internal temperature of the hard-disk and therefore it would be advantageous to incorporate an internal sensor in the housing of the hard-disk. However, all prior art internal sensors had their own data lines and it would not be obvious to the person of average skill in the art to use the data interface, which is normally used for accessing the data stored on the hard disk, for reading data from the temperature sensor disposed in the housing of the hard disk.

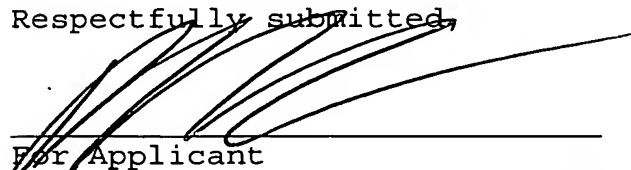
It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1 and 3 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



For Applicant

REL:cgm

December 20, 2004

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